

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

_____	:	
MICHAEL C. BURNS, RASHON HIGH,	:	
and JASON KINDLE,	:	
	:	Civil No. 09-5646 (NLH)
Plaintiffs,	:	
	:	
v.	:	
	:	O R D E R
STATE OF NEW JERSEY, et al.,	:	(CLOSED)
	:	
Defendants.	:	
_____	:	

The Court having considered Plaintiffs' applications to proceed in forma pauperis and file the complaint without prepayment of fees pursuant to 28 U.S.C. § 1915; and the Court finding that Plaintiffs have filed complete, separate in forma pauperis applications; and the Court having screened the complaint to determine whether dismissal is warranted pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A; and for the reasons set forth in this Court's Opinion filed herewith;

It is on this 1st day of JULY, 2010,

ORDERED that Plaintiffs may proceed in forma pauperis without prepayment of the \$350.00 filing fee pursuant to 28 U.S.C. § 1915(a) and (b); and it is further

ORDERED that the Clerk of the Court is directed to file the complaint in the above-captioned action; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order by regular mail on the Attorney General for the State

of New Jersey and on the warden of the Camden County Correctional Facility; and it is further

ORDERED that Plaintiff Rashon High is assessed a filing fee of \$350.00 and shall pay the entire filing fee in the manner set forth in this Order pursuant to 28 U.S.C. § 1915(b)(1) and (2), regardless of the outcome of the litigation; and it is further

ORDERED that in each month that the amount in plaintiff Rashon High's accounts exceeds \$10.00, until the \$350.00 filing fee is paid, the agency having custody of plaintiff Rashon High shall assess, deduct from plaintiff's account, and forward to the Clerk of the Court payment equal to 20% of the preceding month's income credited to plaintiff's account, pursuant to 28 U.S.C. § 1915(b)(2), and each payment shall reference the civil docket number of this action; and it is further

ORDERED that Plaintiff Jason Kindle is assessed a filing fee of \$350.00 and shall pay the entire filing fee in the manner set forth in this Order pursuant to 28 U.S.C. § 1915(b)(1) and (2), regardless of the outcome of the litigation; and it is further

ORDERED that in each month that the amount in plaintiff Jason Kindle's respective accounts exceeds \$10.00, until the \$350.00 filing fee is paid, the agency having custody of plaintiff Jason Kindle shall assess, deduct from plaintiff's account, and forward to the Clerk of the Court payment equal to 20% of the preceding month's income credited to plaintiff's

account, pursuant to 28 U.S.C. § 1915(b)(2), and each payment shall reference the civil docket number of this action; and it is finally

ORDERED that the instant complaint is hereby dismissed without prejudice, for failure to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and § 1915A(b)(1).

/s/ NOEL L. HILLMAN
NOEL L. HILLMAN
United States District Judge

At Camden, New Jersey